

Hearing Officer/Regional Transmittal Checklist

Hearing Date

08/05/2014

Agenda Item No.

4

Project Number: R2014-00210-(2)

Case(s):

Conditional Use Permit Case No. 201400010

Environmental Assessment Case No. 201400020

Planner:

Elsa M. Rodriguez

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☐ Correspondence
- ☒ Photographs
- ☐ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans

Reviewed By:





Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER

R2014-00210-(2)

HEARING DATE

August 5, 2014

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400010

Environmental Assessment No. 201400020

PROJECT SUMMARY

OWNER / APPLICANT

"AT&T" New Cingular Wireless PCS, LLC

MAP/EXHIBIT DATE

March 18, 2014

PROJECT OVERVIEW

AT&T is requesting a conditional use permit to authorize the construction, operation and maintenance of a wireless telecommunications facility disguised as a 59 foot "monopalm" with 12 eight-foot panel antennas, a generator, and an 11 foot ancillary equipment shelter secured by an eight-foot wrought iron fence and screened by a five-foot wide landscaping box.

LOCATION

10417 Hawthorne Boulevard, Lennox, CA 90304

ACCESS

Hawthorne Boulevard

ASSESSORS PARCEL NUMBER(S)

4036-016-008

SITE AREA

0.11 Acres (4,680 sf)

GENERAL PLAN / LOCAL PLAN

General Plan

ZONED DISTRICT

Lennox

LAND USE DESIGNATION

C- Major Commercial

ZONE

C-3 Unlimited Commercial

PROPOSED UNITS

None

MAX DENSITY/UNITS

Not applicable

COMMUNITY STANDARDS DISTRICT

None

ENVIRONMENTAL DETERMINATION (CEQA)

Class 3 Categorical Exemption – New Construction or Conversion of Small Structures

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.28.220 (C-3 Zone Development Standards)

CASE PLANNER:

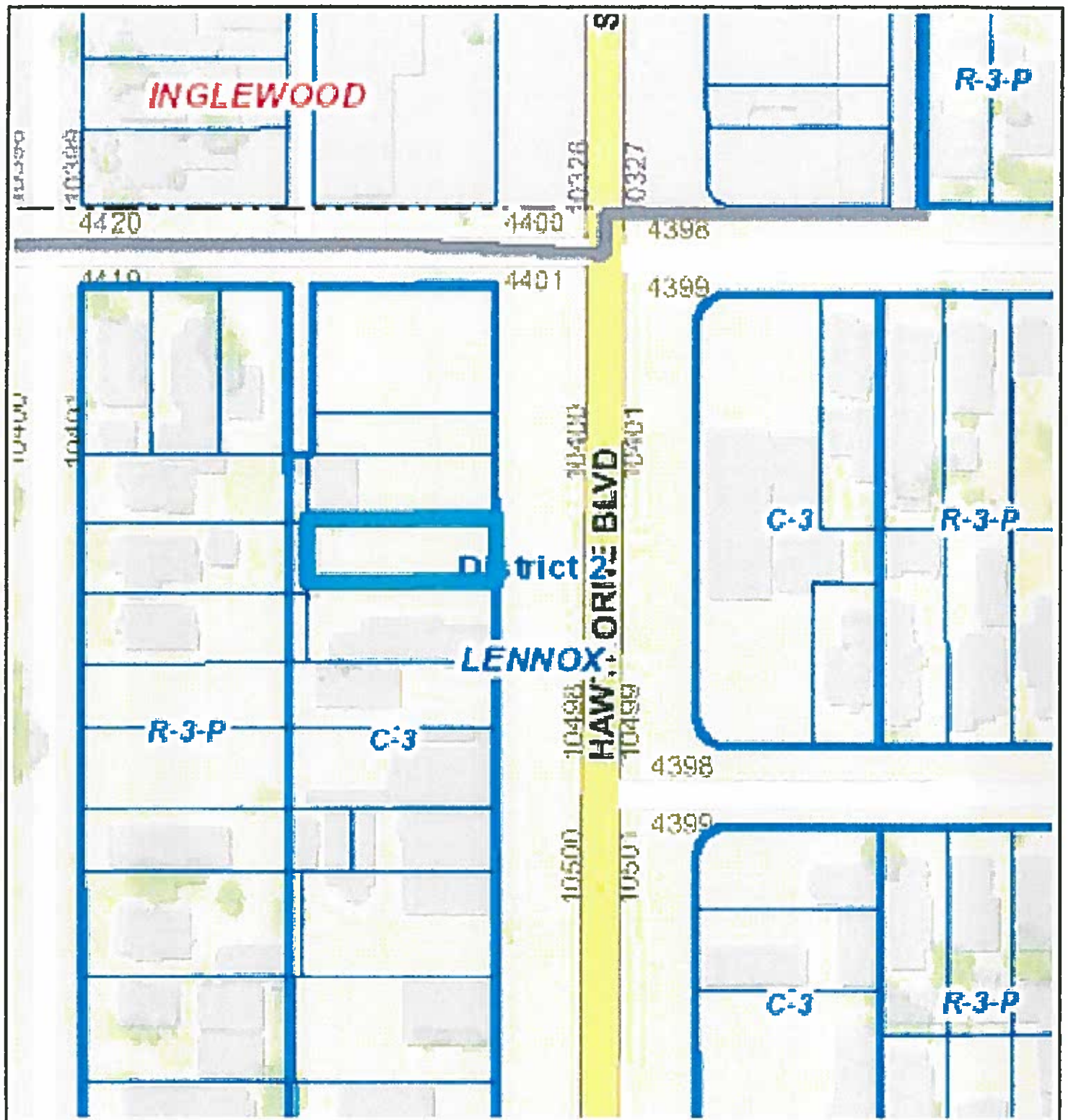
Elsa M. Rodriguez

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erodriguez@planning.lacounty.gov



R2014-00210-(2) 10417 S Hawthorne Boulevard

Property Location Map

Printed: Jul 22, 2014



0 100
Feet

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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for the construction, operation, and maintenance of a new wireless telecommunications facility in the C-3 (Unlimited Commercial) Zone pursuant to County Code Section 22.28.210.

PROJECT DESCRIPTION

The project consists of a new unmanned 59-foot wireless telecommunications facility disguised as a monopalm with 12 eight-foot panel antennas, a generator, and a 20' by 11'-5" ancillary equipment shelter secured by an eight-foot wrought iron fence. Directly in front of the fence is a five-foot wide landscaping box that will further conceal the equipment. The project will be located on approximately 1,000 square feet of leased spaced in the rear portion of a vacant parcel. The front portion of the parcel will be used as a vehicle display area for the used car sales lot next door, which is separate from this entitlement.

SITE PLAN DESCRIPTION

The proposed site plan depicts a 4,680 square foot vacant parcel with a section of the rear designated for the approximately 1,000 square foot WTF lease area, consisting of the equipment shelter and monopalm. Temporary parking is available onsite.

EXISTING ZONING

The subject property is zoned C-3 (Unlimited Commercial)

Surrounding properties are zoned as follows:

North: C-3 and City of Inglewood

South: C-3

East: C-3 & R-3-P (Limited Multiple Residence-Parking)

West: R-3-P

EXISTING LANDUSES

The subject property is a vacant lot. There is a pending site plan RPP 201400483, which proposes to establish a vehicle display area to be used in conjunction with the used car lot located on the adjacent property. The display area will be located in front of the lot, while the tower will remain in the rear of the lot.

Surrounding properties are developed as follows:

North: Used car sales lot

South: Appliance "Maytag" store and churches

East: Market and used car sales lot

West: Single family and multifamily residential

PREVIOUS CASES/ZONING HISTORY

RPP T201400483 Pending. A plot plan is currently under review, which proposes to establish a vehicle display area to be used in conjunction with the used car sales lot

located on the adjacent property. The lot is primarily overflow display area from the business. No new parking or structures are proposed.

RDMV 201100023 Denied. A DMV referral for vehicle retail sales was denied because an office trailer was maintained onsite without site plan approval. The applicant was unresponsive and RDMV201100023 was denied September 29, 2011. Upon site visit February 6, 2014 no trailer was present. This previous denial does not affect the WTF because the pending site plan does not propose an office trailer and the unpermitted trailer from the 2011 inspection has been removed.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction or Conversion of Small Structures under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The subject property is not within an environmentally sensitive area. The proposed project establishes a prefabricated equipment shelter and a new ground mounted wireless tower facility in an urban area, no environmental risks have been identified. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the C (Major Commercial) land use category of the General Plan. This designation is intended for major regional employment centers, business, trade and finance. Such uses include central business districts, regional office complexes, community and neighborhood-serving commercial uses which conveniently serve local market areas. The proposed wireless tower facility is consistent with the land use because it will promote reliable access to wireless services for residents and businesses alike. The new internet and telephone service capacity will increase efficiency, convenience and safety for all wireless customers. The primary objective of the proposed facility is to accommodate the wireless needs of existing businesses and customers in the local area. Therefore, the proposed facility is consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Support the elimination of disincentives for business and industry. (Policy 22, Page VII-42).*

The Economic element of the General Plan sets forth policy recommendations to establish proper preconditions for maintaining and attracting new job opportunities. The proposed WTF enhances the community's ability to support wireless communication for the day-to-day functions of major regional employment centers as well as neighborhood serving businesses.

- *Maintain high quality emergency response services. (Policy 58, Page I-25).*

The new facility will provide 24-hour service, seven days a week to its users further enhancing signal coverage and emergency response coordination in times of emergency.

- *Promote compatible, environmentally sensitive development of by-passed vacant land in urban areas. (Policy 21, Page I-21)*

The proposed facility is to be located on an existing vacant lot along a major thoroughfare. The proposed facility is not located in an environmentally sensitive area and will not negatively impact the character of the community. The vacant lot will provide a reliable service to nearby businesses and residents.

- *Assure that the new development is compatible with the natural and manmade environment by implementing appropriate locational controls and high quality design standards. (Policy 7, Page III-12)*

The location of the proposed WTF is in the rear of an underutilized parcel along a major commercial thoroughfare. Hawthorne Boulevard and 104th Street both have utility poles and transmission lines servicing the community already. The ground mounted equipment is located entirely within a storage shed and the generator is completely silent. Furthermore, the proposed auto vehicle display area to be located in the front of the parcel will further conceal the monopalm and storage shelter from public view.

Zoning Ordinance and Development Standards Compliance

Wireless telecommunications facilities are not a specified use in Title 22 of the Los Angeles County Code (Zoning Code). However, wireless telecommunications facilities are similar to radio and television towers which are recognized in the Zoning Code. Towers are permitted in Zone C-3 with a conditional use permit per 22.28.210, pursuant to the provisions of Part 1 of Chapter 22.56.

Guidelines for development of wireless telecommunications facilities are provided in the Subdivision and Zoning Ordinance Policy No. 01-2010 memo, dated July 26, 2010. The memo specifies that ground mounted facilities not located on a public right of way, shall not exceed the maximum permitted height of 75 feet. The proposed facility meets the height limit at 59- feet.

For uses where parking facilities are not specified in the Zoning Code, Section 22.52.1220 authorizes the director to impose an adequate amount of parking to prevent traffic congestion and excessive on-street parking. The proposed wireless telecommunications facility is unmanned and will only require monthly maintenance visits. The majority of maintenance to the WTF will be done remotely. Temporary parking for the maintenance vehicle can be arranged on the lot if necessary, a curb cut along Hawthorne Boulevard exists in case a maintenance vehicle needs to access the rear of the parcel. Otherwise, the maintenance worker can use the pedestrian access along Hawthorne Boulevard to access the WTF.

Site Visit

The subject property is a vacant lot. There is a driveway along Hawthorne Boulevard and an existing chain link fence. Towards the rear of the lot there is an existing concreted pad and some vegetation. The site is surrounded by used car sales lots, churches, appliance repair shops and grocery stores along Hawthorne Boulevard. Directly behind the proposed WTF on Burin Avenue there are three single family homes and multiple apartment complexes. Hawthorne Boulevard is a major thoroughfare with commercial uses.

Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The proposed project meets the County's guidelines for wireless telecommunications facilities. The wireless tower facility will be disguised as a 59' monopalm and will be located in a commercial thoroughfare adjacent to a used car sales lot. Both Hawthorne Boulevard and 104th Street located immediately north of the project site, have existing light poles and transmission lines. Several transmission lines along 104th Street are 80-feet tall, while other shorter light poles along Hawthorne Boulevard are approximately 40-feet tall. Moreover, the fronds from the monopalm will all extend past the antennas to reduce their visibility, and each antenna will be painted to match the color of the fronds. The new wireless tower facility will have minimal visual impact on the community because it will be located in the rear of the "for sale" vehicle display area of an existing used car sales lot. Lastly, the 11'-5" ancillary equipment shelter and eight-foot wrought iron fence will be concealed by a five-foot wide landscaping box further reducing the visual impact to the community. The WTF will not be detrimental to the use and valuation of surrounding properties, conditions of approval will ensure that the project construction is consistent with the proposed design as presented in the site plans and photo renderings.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Staff has not received any comments at this time.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has not received comments at this time.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2014-00210 (2), Conditional Permit Number 201400010 subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE COMDITIONAL USE PERMIT NUMBER 201400010 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Elsa M. Rodriguez, Regional Planning Assistant II, Zoning Enforcement West Section

Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West Section

Attachments:

Draft Findings,

Draft Conditions of Approval

Applicant's Burden of Proof statement

Site Photographs, Photo Simulations, Aerial Image

Site Plan, Land Use Map

MKK:EMR

July 10, 2014

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-00210-(2)
CONDITIONAL USE PERMIT NO. 201400010**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Project No. **R2014-00210-(2)**, consisting of Conditional Use Permit No. **201400010** ("CUP"), on August 5, 2014.
2. The permittee, AT&T Wireless, requests the CUP to authorize the construction, operation, and maintenance of a 59- foot wireless telecommunications facility (WTF) disguised as a "monopalm" with 12 eight-foot panel antennas, a generator, and a 20' by 11'-5" ancillary equipment shelter secured by an eight-foot wrought iron fence ("Project") on a property located at 10417 S. Hawthorne Boulevard in the unincorporated community of Lennox ("Project Site") in the C-3 (Unlimited Commercial) zone pursuant to Los Angeles County Code ("County Code") section 22.28.210.
3. The Project Site is located in Zoned District Lennox and is currently zoned C-3.
4. The Project Site is located within the Major Commercial land use category of the General Plan Land Use Policy Map.
5. Surrounding Zoning within a 500-foot radius includes:

North: C-3 (Unlimited Commercial), City of Inglewood
South: C-3
East: C-3 & R-3-P (Limited Multiple Residence-Parking)
West: R-3-P
6. Surrounding land uses within a 500-foot radius include:

North: Used car sales lot
South: Appliance "Maytag" store and churches
East: Market and used car sales lot
West: Single family and multifamily residential
7. The current site is a vacant 4,680-square-foot parcel. The proposed 59-foot monopalm wireless telecommunications facility and equipment shelter will be located in an approximately 1,000-square-foot lease area towards the rear of the parcel. A five-foot wide landscaping box will be located in front of the wrought iron fence to provide additional screening. A pending application (**RPPT201400483**), proposes to establish a "for sale" used vehicle display in the front of the property. The vehicles will be facing Hawthorne Boulevard. The establishment of this use will not affect the proposed vehicle display area because the majority of maintenance to the WTF will be done remotely. Temporary parking for the maintenance vehicle can be arranged

on the lot if necessary, a curb cut along Hawthorne Boulevard exists in case a maintenance vehicle needs to access the rear of the parcel. Otherwise, the maintenance worker can use the pedestrian access along Hawthorne Boulevard to access the WTF.

8. The Project Site is accessible via Hawthorne Boulevard.
9. The wireless facility is unmanned and only requires periodic maintenance. If necessary, on-site parking for the maintenance vehicle can be arranged behind the "for sale" vehicle display area. Otherwise, a maintenance worker can use the pedestrian access along Hawthorne Boulevard to access the WTF. No additional parking is required to be provided.
10. The Los Angeles County Departments of Public Works (DPW) and Fire were consulted on this permit request. Both DPW and Fire stated that they did not need to review this project. Therefore, there are no comments or recommendations from other County Agencies.
11. Regional Planning staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project is a request to construct a wireless facility that will occupy a 1,000-square-foot lease area for wireless telecommunications infrastructure.
12. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
13. Staff has not received any comments from the public.
14. [Hearing Proceedings]
15. Hearing Officer finds that the Los Angeles County General Plan is silent in regards to wireless telecommunications facilities being placed in commercial zones. However, the General Plan's Economic Development Element sets forth preconditions to attract new jobs and maintain existing jobs, including Policy 22 to "Support the elimination of disincentives for business and industry." The proposed WTF enhances the community's ability to support wireless communication for the day-to-day functions of major regional employment centers as well as neighborhood serving businesses. Therefore, eliminating the disincentive of unreliable wireless capacity. In addition, Policy 22 of the General Plan seeks to "Promote compatible, environmentally sensitive development of by-passed vacant land in urban areas." The project is located on an existing vacant lot along a major thoroughfare in an urban area. The proposed facility is not located in an environmentally sensitive area and will not negatively impact the character of the community. Lastly, the General Plan has a Public Services policy (Policy 58) to "maintain high quality emergency

response services." Providing reliable mobile phone service is a key component to businesses and residents when coordinating safety efforts during emergencies. Therefore, this project is consistent with the Los Angeles County General Plan.

16. Hearing Officer finds that the proposed 1,000 square foot lease area of the wireless facility will be located in the rear of an existing vacant parcel in the C-3 Zone. By disguising the proposed WTF into a monopalm, the stand alone facility will be integrated into the commercial thoroughfare along Hawthorne Boulevard and not adversely affect the community character. Both Hawthorne Boulevard and 104th Street located immediately north of the project site, have existing light poles and transmission lines. Several transmission lines along 104th Street are 80-foot tall, while other shorter light poles along Hawthorne Boulevard are approximately 40-foot tall. Furthermore, all 12 panel antennas will be painted to match the extended fronds. The extended fronds will conceal each antenna, and the equipment shelter will conceal the generator. The community of Lennox does not have a Community Standards District or a Community Plan; however, the height and strategic location of the project meets all of the requirements of the Wireless Telecommunications Facilities Interpretation and Procedure Memo.
17. Hearing Officer finds that the WTF is proposed to be a monopalm that will disguise 12 eight-foot antennas in three sectors and that the operation of the facility can be accomplished without disrupting or changing the operation of the adjacent used car lot or character of the existing commercial area. The facility does not generate any odor, noise, or block existing viewsheds. The proposed facility will be unmanned, so it will have no impact on traffic or have any adverse impact on adjacent land uses. Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
18. Hearing Officer finds that the WTF is proposed to be placed in the rear portion of a vacant parcel and that the location of the equipment will remain entirely within a shelter, secured by an eight-foot wrought iron fence and screened by a five-foot wide landscaping box. Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
19. Hearing Officer finds that the WTF is proposed to be erected in the 1,000 square feet leased space in the rear portion a 4,680 square foot vacant parcel. The WTF is accessible through an existing driveway along Hawthorne Boulevard. No new public infrastructure is needed to construct, operate, and maintain the proposed WTF. The operating characteristics of the proposed WTF are that it is unmanned and will not generate additional traffic. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

20. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use to 15 years.
21. The Hearing Officer finds that pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Lennox community. On June 26, 2014, a total of 111 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site.
22. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
2. Approves Conditional Use Permit **201400010**, subject to the attached conditions.

PROJECT NO. R2014-00210-(2)
CONDITIONAL USE PERMIT NO. 201400010

DRAFT FINDINGS
PAGE 5 OF 5

ACTION DATE: Aug 5, 2014

MKK:EMR
8/5/2014

cc: Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-00210-(2)
CONDITIONAL USE PERMIT NO. 201400010**

PROJECT DESCRIPTION

The project is a Conditional Use Permit for a new unmanned 59-foot wireless telecommunications facility ("WTF") disguised as a monopalm in the C-3 (Unlimited Commercial) Zone. The proposed WTF consists of 12 eight-foot panel antennas, a generator, and a 20' by 11'-5" ancillary equipment shelter secured by an eight-foot wrought iron fence and screened by a five-foot wide landscaping box. The project will be located on approximately 1,000 square feet of leased spaced in the rear portion of a vacant parcel. This project is subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9, shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual

costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on August 5, 2029.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a

violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for eight (8) biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent

information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, four (4) copies of a modified Exhibit "A" shall be submitted to Regional Planning by **October 7, 2014**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **four (4) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (WIRELESS)

19. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
20. Upon request, the permittee shall provide to the Zoning Enforcement Section of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
21. Insofar as is feasible, the permittee shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
22. Any proposed WTF that will be co-locating on the proposed facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.

23. All structures shall conform to the requirements of the Division of Building and Safety of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.
24. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
25. If the subject property is adjacent to residences, construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.
26. Placement and height of all pole mounted equipment shall be in substantial conformance with that shown on said Exhibit "A". The facility shall be built as depicted in the photo simulations presented at the public hearing.
27. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
28. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.
29. The maximum height of the facility shall not exceed 59 feet above finished grade.
30. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within 30 days of notice. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.
31. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
32. The project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
33. The facility shall be secured by fencing, gates and/or locks. All fencing or walls used for screening or securing the facility shall be composed of wood, vinyl, stone,

concrete, stucco or wrought iron. Chain links, chain link with slats, barbed and other types of wire fencing are prohibited. If the facility's fences or walls are visible from the public right-of-way, landscaping, in a minimum planter width of five feet, shall be provided to screen the fence or wall from the street.

34. New equipment added to the facility shall not compromise the stealth design of the facility.
35. Antennas shall be painted or covered to match their background (branches or trunk). The antennas shall not extend beyond the monopalm branches or fronds. There shall be ample branch coverage to hide the antennas from view as effectively as possible. Faux bark cladding shall be provided from the ground to five feet beyond where the faux branches begin; above the faux bark shall be flat non-reflective brown paint to match the bark.

CUP-Burden of Proof
AT & T Site # CLV1424
10417 Hawthorne Blvd.

A. That the requested use at the location proposed will not:

- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or**

After comparison of other potential site locations in the surrounding area, the project site at 10417 Hawthorne Blvd. offered the most desirable location in the interest of health, peace, comfort, and welfare of persons residing or working in the surrounding area. The proposed project design and location will have only positive effects on the community in that the project will provide access to reliable wireless telecommunications services for AT & T customers. Reliable access to wireless services is necessary in times of emergencies, for business use, and convenient for personal and family use. The proposed use of a "mono-pine" design will allow the facility to provide reliable wireless services without being unsightly or causing adverse impacts to persons residing or working in the surrounding area.

- 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or**

The proposed project will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site in that: (1) the proposed facility structures and equipment will have a "stealth" appearance using a "monopalm" design and decorative wrought iron fencing, (2) access to the site will be via a secure gate/fence; and (3) the facility will be consistent with the property's current commercial use as a vital utility for the surrounding neighborhood. The proposed stealth design and strategic location will alleviate any potential adverse impacts to adjacent uses or structures in the vicinity.

- 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.**

The proposed project will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare in that the project will be unmanned and not generate any smoke, odor, noise, or other adverse impacts to the surrounding properties. The proposed use will also have no impact on parking, traffic, circulation or density in the area. The proposed project will also not adversely affect existing viewsheds nor will it adversely affect any scenic or natural vistas.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area in that the proposed project will occupy only about 1000 square feet of an existing +/- 5000 sf parcel. The location of the equipment will not impact any existing yards, walls, fences, parking, etc.

C. That the proposed site is adequately served:

- 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and**

The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate in that the proposed project is unmanned so it generates no traffic above and beyond existing traffic in the area. The project will be accessed via an existing paved driveway access off Hawthorne Blvd.

- 2. By other public or private service facilities as are required.**

The proposed site is adequately served by other public or private service facilities as are required in that the proposed project will have access to existing electrical and telephone services in the area. There is adequate electrical and landline telephone service to accommodate the project needs.

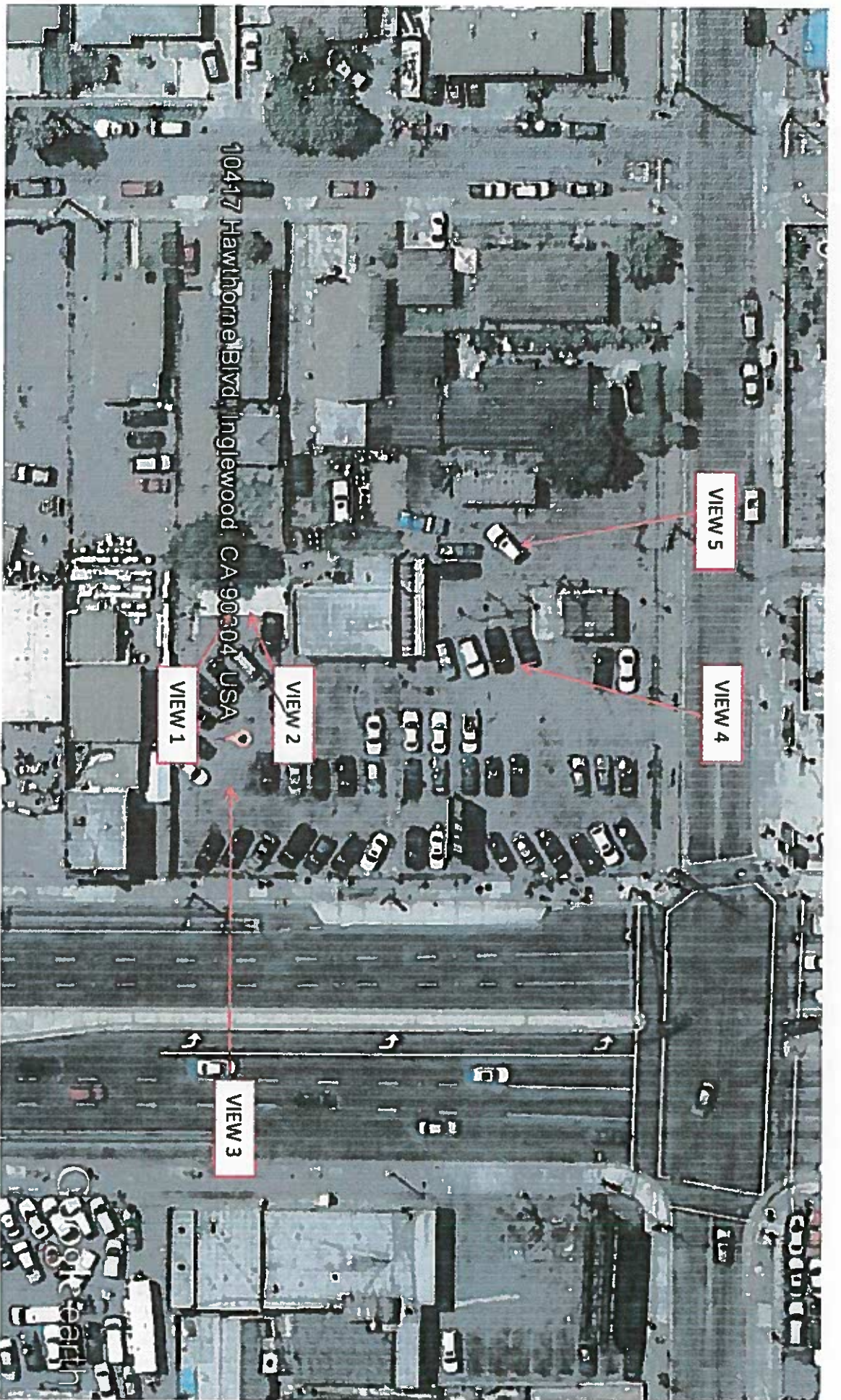
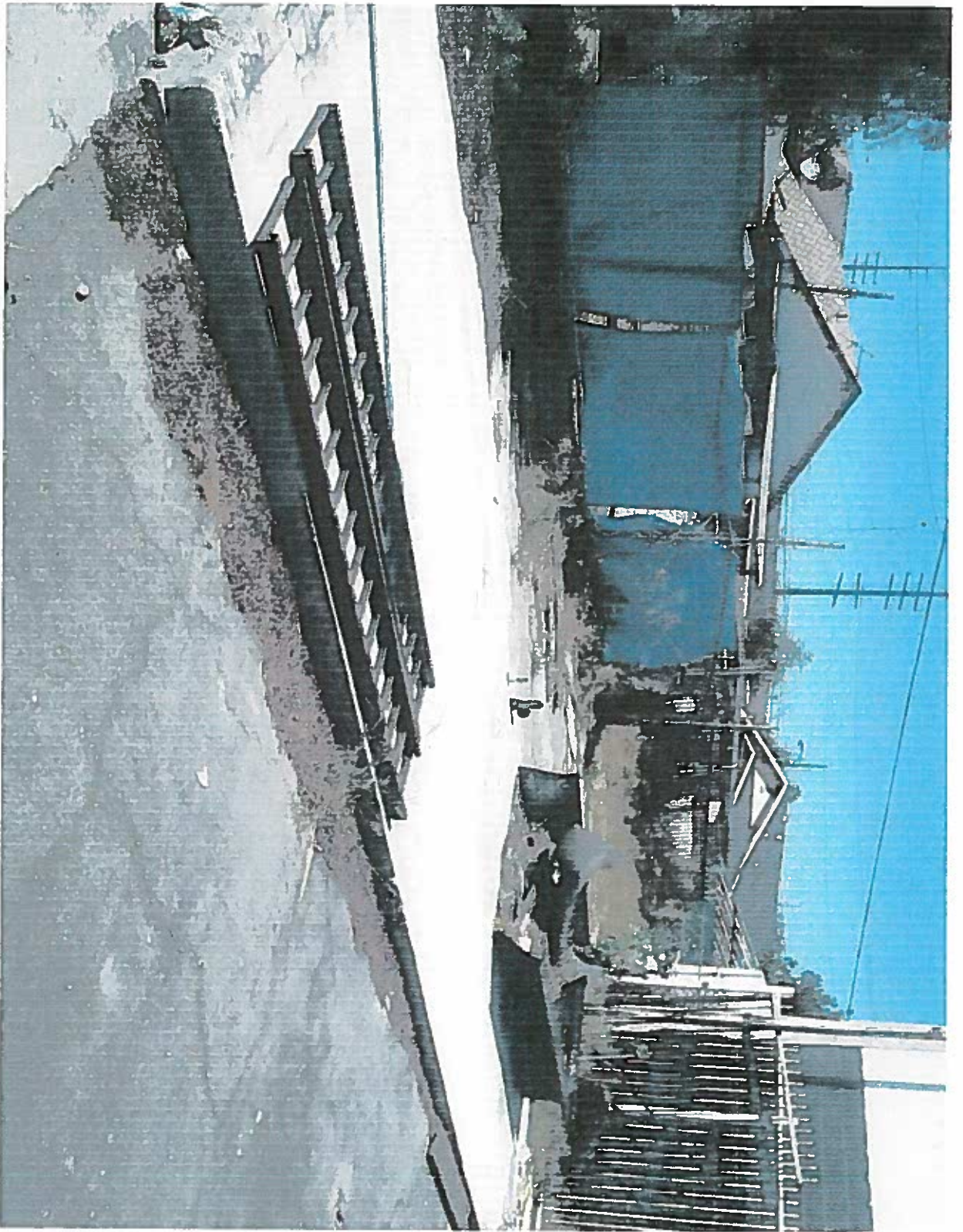


Photo Key

AT & T @ 10417 Hawthorne Blvd.



VIEW 1



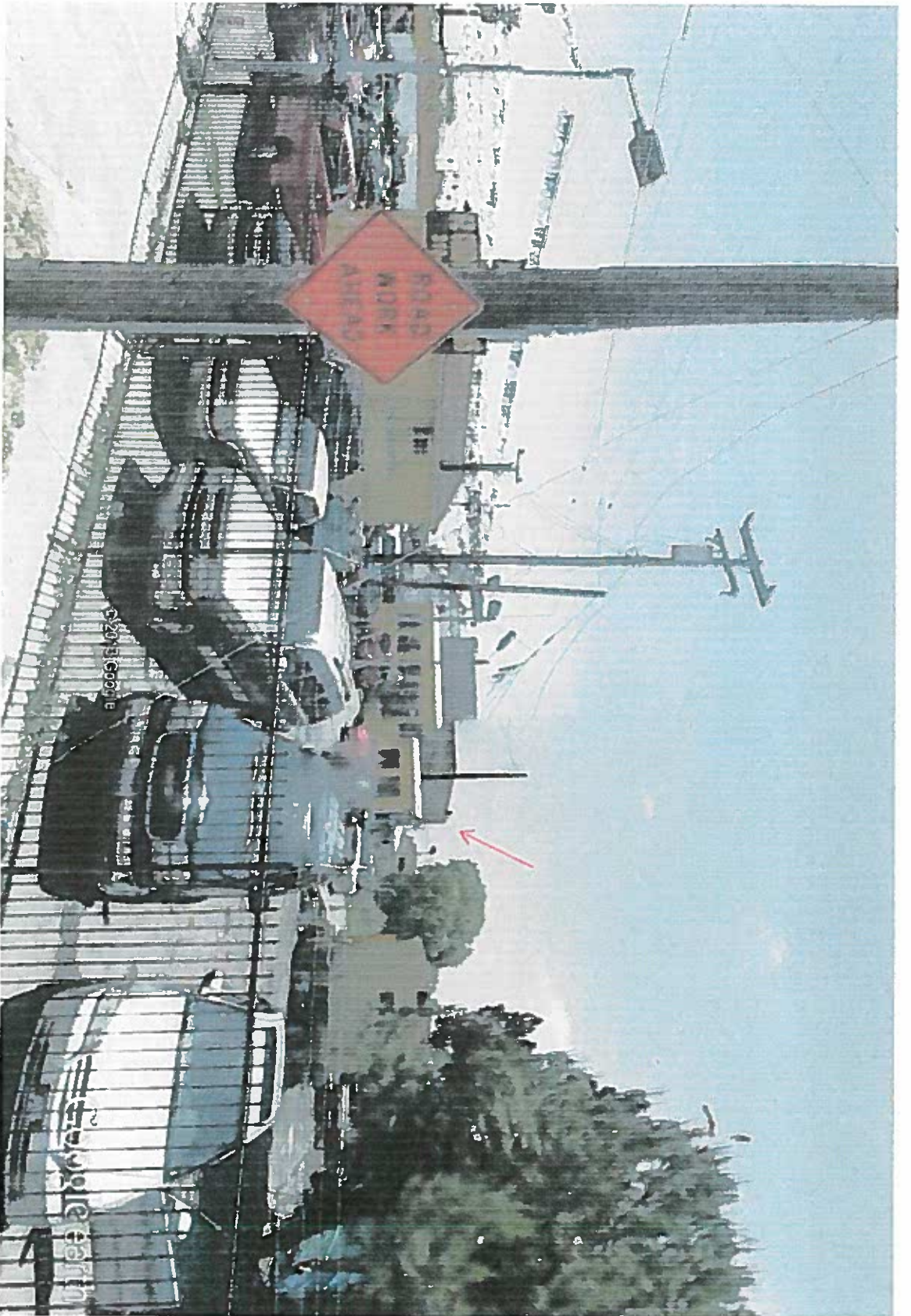
VIEW 2



VIEW 3



VIEW 4



VIEW 5



at&t

AT&T

12900 Park Plaza Drive
Cerritos, CA 90703

CLV1424

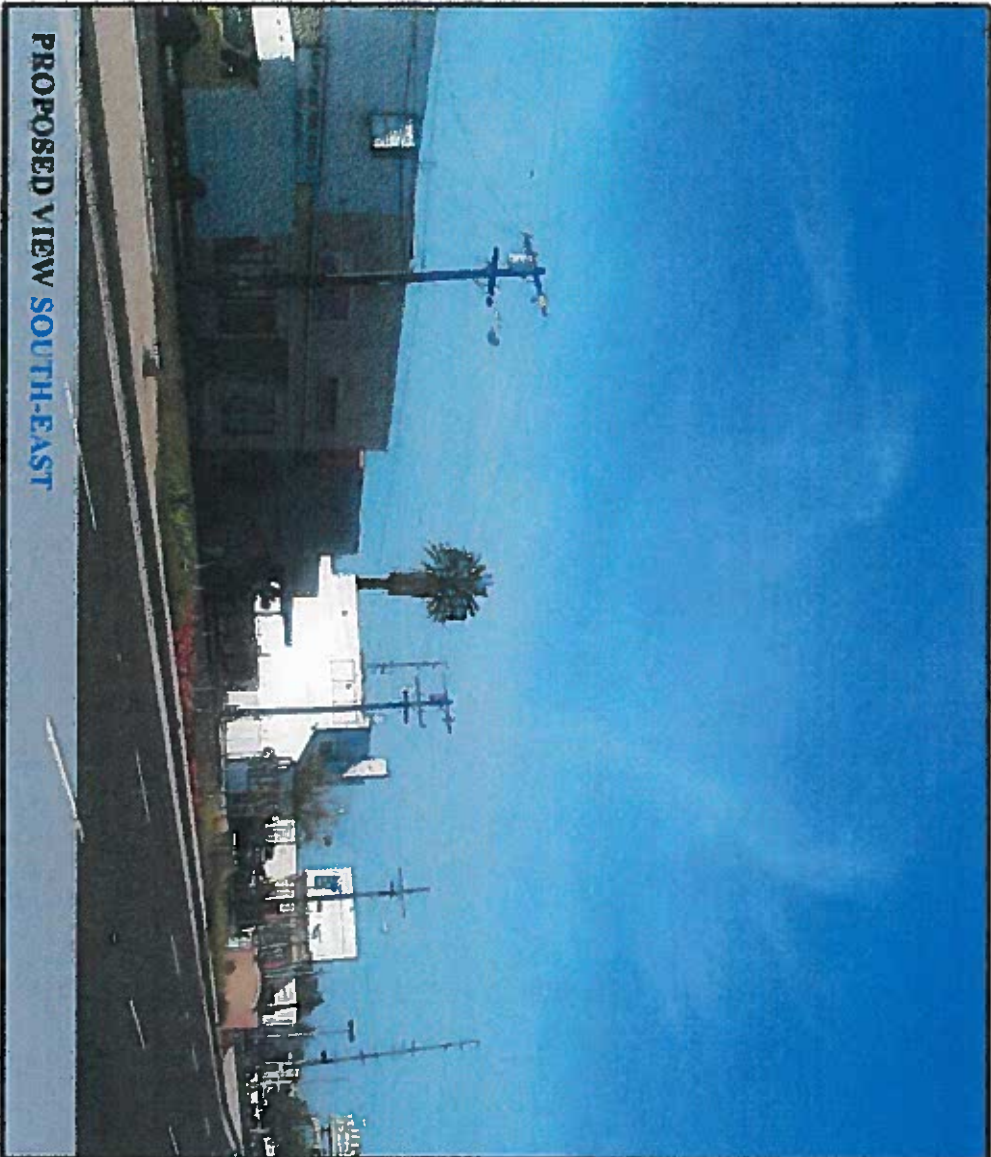
Hawthorne & 105th

10417 Hawthorne Boulevard, Inglewood, CA 90304

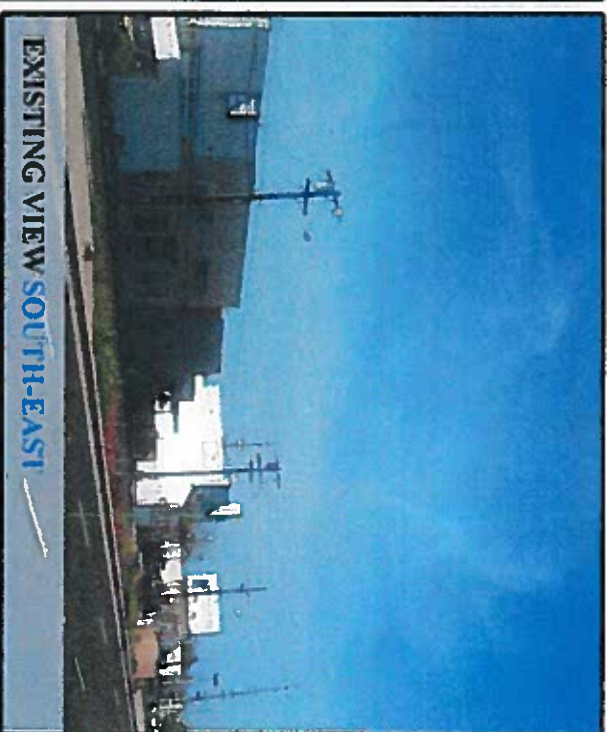


Eukon Group

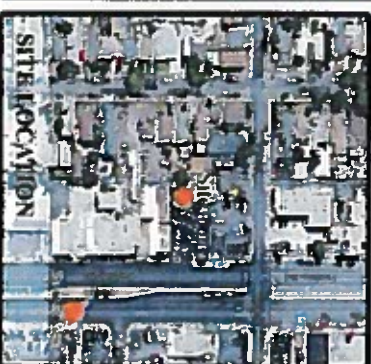
65 Post, Suite 1000 - Irvine,
CA, 92618 - (949) 553-8566



PROPOSED VIEW SOUTH-EAST



EXISTING VIEW SOUTH-EAST



SITE LOCATION

SITE COORDINATES

Latitude: 33.9412722

Longitude: -118.3532278

APPLICANT

AT&T

12900 Park Plaza Drive
Cerritos, CA 90703

SHEET NUMBER





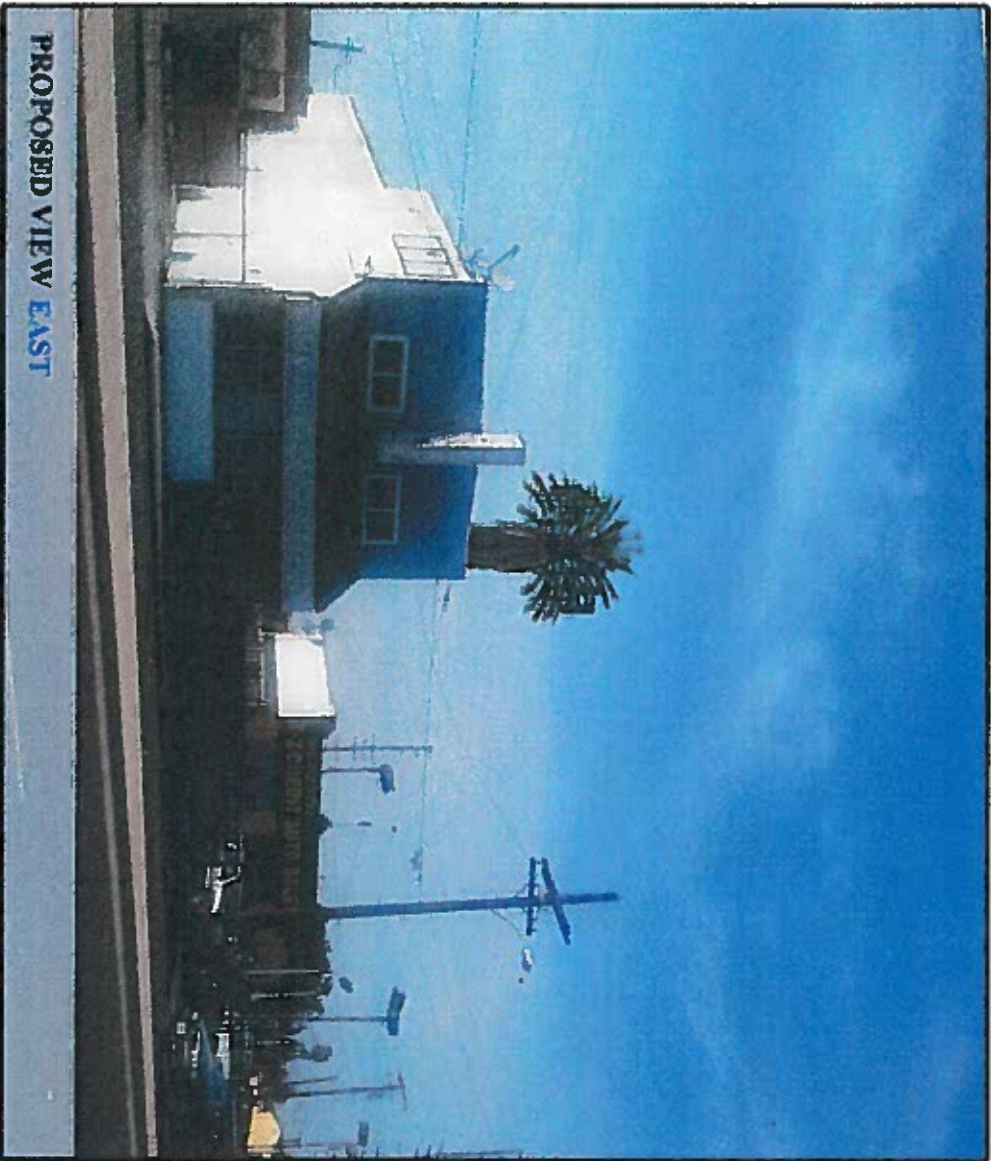
at&t
AT&T
12900 Park Plaza Drive
Cerritos, CA 90703

CLV1424 Hawthorne & 105th

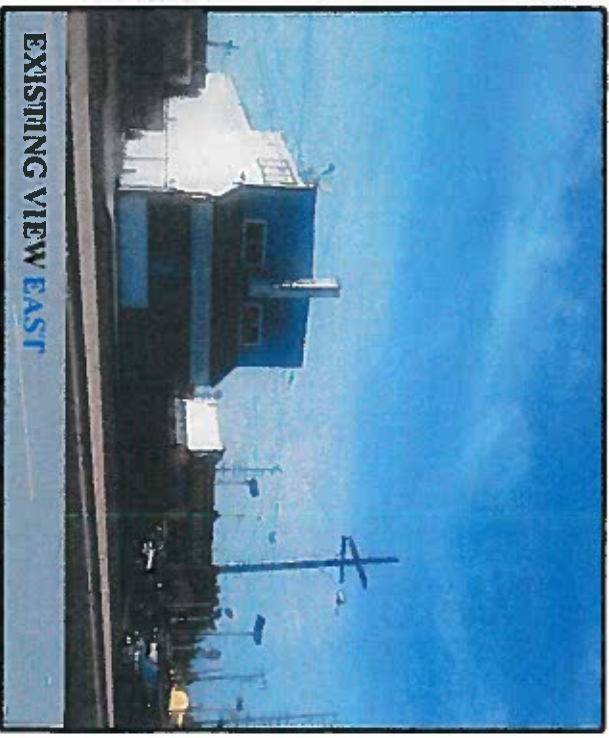
10417 Hawthorne Boulevard, Inglewood, CA 90304



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a BRC Communications, Inc. Company
65 Post, Suite 1000 - Irvine,
CA, 92618 - (949) 553-8566



PROPOSED VIEW EAST



EXISTING VIEW EAST



SITE LOCATION

SITE COORDINATES

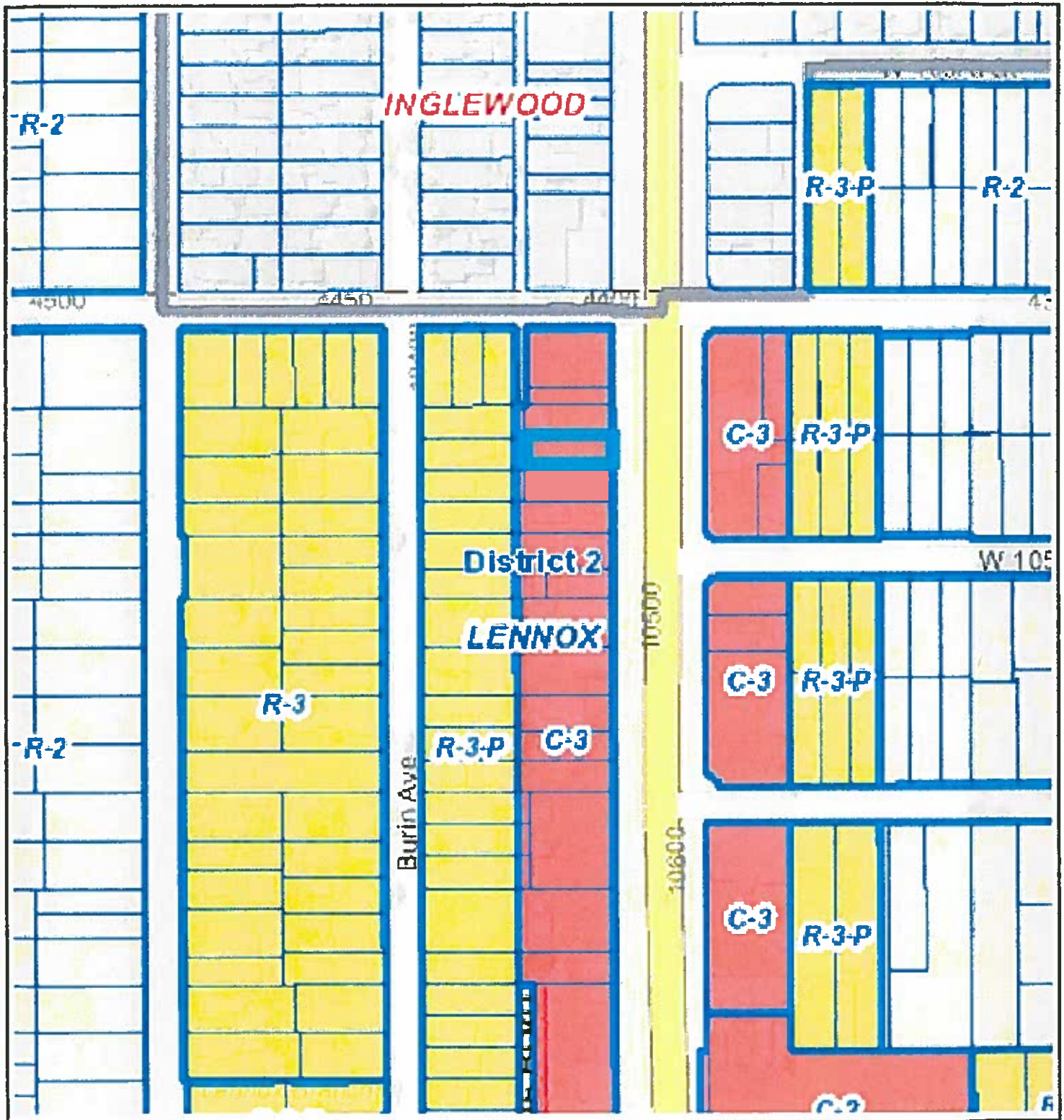
Latitude: 33.9412722
Longitude: -118.3512278

APPLICANT

AT&T
12900 Park Plaza Drive
Cerritos, CA 90703

SHEET NUMBER





R2014-00210-(2)

Zoning & Land Use Map

Printed: Jul 22, 2014



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Feet

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